

REMARKS/ARGUMENTS

This communication is in response to the non-final Office Action dated May 19, 2010. Claims 4-11, 13-15, 17, 18 and 20-25, and 28-36 are pending in this application, with claims 20 and 25 being the only independent claims. Claims 20 and 25 have been amended. Claims 13 and 34 have been cancelled, with the subject matter previously recited in these claims now incorporated in claims 20 and 25, respectively. Claims 4-11, 14-15, 17, 18 and 20-25, 28-33 and 35-36 remain in the application. Reconsideration in view of the amendments to the claims and arguments presented below is requested.

Prior Art Claim Rejections

Claims 6, 20, 25, 28, 29, and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazaki (JP 07-107574) in view of Gaultier (6,034,672).

Claims 4, 5, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazaki in view of Gaultier, as applied to claim 20 above, and further in view of Kishi (US Patent 5,903,229).

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazaki in view of Gaultier and Kishi, as applied to claim 5 above, and further in view of Sin (US Patent 5,939,684).

Claims 10 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazaki in view of Gaultier, as applied to claim 20 above, and further in view of Nuovo, US Design D490,405 S.

Claim 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazaki in view of Gaultier, Kishi, and Sin, as applied to claim 21 above, and further in view of Nuovo.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazaki in view of Gaultier and Kishi, as applied to claim 4 above, and further in view of Lee (US Patent 6,804,027).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazaki in view of Gaultier as applied to claim 25 above, and further in view of Yamazaki (US Patent 5,815,139).

Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazaki in view of Gaultier, as applied to claim 25 above, and further in view of Tamagawa (US Patent 6,603,708).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazaki in view of Gaultier and Yamazaki, as applied to claim 13 above, and further in view of Tamagawa.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazaki in view of Gaultier and Yamazaki, as applied to claim 13 above, and further in view of Goren (US Patent 7,190,351).

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazaki in view of Gaultier as applied to claim 20 above, and further in view of Endo (US Publication 2002/0054012).

Applicants respectfully traverse the outstanding rejections for at least the reasons presented below.

Independent Claim 20

Claim 20, as amended herein, recites “a *single* sensor (18) *mounted on the underside* (16) and *supplying a measurement signal* measuring a direction of the tilt and an actuation force exerted on the upper surface of the control element”. In addition, amended claim 20 also discloses as another limitation “a display displaying a cursor moving in response to measurement signal, wherein a stronger increasing pressure during actuation along an edge of the control element (11) leads to a faster cursor movement and a weaker pressure along the edge of the control element (11) leads to a slower cursor movement”.

As admitted in the office action, Miyasaki discloses sensors which are *indirectly* connected to the underside; accordingly, the present invention is distinguished over Miyasaki. Moreover, unlike Miyasaki, the present invention may be implemented with only a single sensor, as illustrated in FIGS. 3 and 4, and more specifically described in the related description in the specification.

Yamazaki employs a pressure-sensitive tablet sheet 6 which is, however, not *mounted on the underside* of the single sensor. Although Yamazaki appears to disclose pressure- or force-sensitive cursor movement, the combination of Miyazaki, Gaultier and Yamazaki still does not disclose or suggest the elements and features recited in amended claim 20. Claim 20, as amended herein, is therefore patentable over Miyazaki, Gaultier and Yamazaki, and withdrawal of the rejection of claim 20 is respectfully requested.

Independent Claim 25

Claim 25 was rejected over Miyazaki and Gaultier for the same reasons as claim 20. Claim 25 has been amended to recite, like amended claim 20, a *single* sensor mounted on the underside and a *circular motion along the edge of the control element*, wherein a stronger pressure during the circular motion along the edge of the control element causes a faster cursor movement about a single axis and a weaker pressure during the circular motion along the edge of the control element causes a slower cursor movement along the single axis. Applicant submits that the combination of a *single sensor mounted on the underside* of the control element, a *circular motion* and a *pressure-responsive cursor speed* are not disclosed or suggested by Miyazaki, Gaultier and Yamazaki. Claim 25, as amended herein, is therefore patentable over Miyazaki, Gaultier and Yamazaki, and withdrawal of the rejection of claim 25 is respectfully requested.

Regarding the rejected dependent claims, Applicant has carefully reviewed the other cited patent documents Kishi (US Patent 5,903,229), Sin (US Patent 5,939,684), Nuovo, US Design D 490,405, Tamagawa (US Patent 6,603,708), Goren (US Patent 7,190,351), and Cheng (US Patent 6,809,275) and did not find therein the features which are missing from the patent documents Miyazaki and Gaultier discussed *supra* in conjunction with the rejection of the independent claims 20 and 25.

Accordingly, the retained dependent claims 4-11, 14-15, 17, 18 and 21-24, 28-33 and 35-36, which depend from claims 20 and 25, respectively, are patentable for at least the reasons that claims 20 and 25 are patentable. Withdrawal of all prior art rejections and allowance of all pending claims is therefore respectfully solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,

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